

Rene Erm II  
Rene Erm II, P.L.L.C.  
6 E. Alder, Suite 317  
Walla Walla, WA 99362  
509-529-2200  
509-529-2202 (facsimile)  
[rene@ermlawoffice.com](mailto:rene@ermlawoffice.com)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re:	)	Case No. 15-31810-rld11 (Lead Case)
	)	
UNION LUMBER COMPANY, INC.	)	THE FOLLOWING CASE IS JOINTLY
	)	ADMINISTERED WITH 15-31811-rld
Debtor.	)	
	)	
MACE A. CADWELL	)	Case No. 15-31811-rld11
SHERRY A. CADWELL	)	
	)	MOTION FOR ORDER REOPENING
Debtors	)	CLOSED CASE; EXPEDITING HEARING
	)	IF REQUESTED/REQUIRED and WAIVING
	)	FILING FEE

COMES NOW Union Lumber Company, Inc, and Mace and Sherry Cadwell, the debtors in these jointly administrated cases, and, pursuant to BR 5010, move the Court to reopen these Chapter 11 cases which were dismissed on June 4, 2015. In support of this motion Debtor attaches:

1. Declaration of Mace Cadwell, stating why the case needs to be opened and why the required filing fee should be withheld at this time.
2. Letter from Steven J. Joseph, Registered Agent of Grande Ronde Investors Group, LLC, regarding the formation of that limited liability company and its unconditional commitment of funds in the amount of \$1,638,360;

1 DATED this 9<sup>th</sup> day of November, 2015.

2 RENE ERM II, P.L.L.C.

3 */s/ Rene Erm II*

4 

---

Rene Erm II, OSB 961454  
Attorney for Debtor

UNITED STATES BANKRUPTCY COURT

DISTRICT OF OREGON

In re:	)	
	)	Case No. 15-31810-rld11 (Lead Case)
UNION LUMBER COMPANY, INC.	)	
	)	THE FOLLOWING CASE IS
Debtor.	)	JOINTLY ADMINISTERED WITH
	)	15-31811-rld11
	)	
MACE A. CADWELL	)	CASE NO. 15-031811-rld11
SHERRY A. CADWELL	)	
	)	DECLARATION OF MACE
Debtors.	)	CADWELL
	)	
STATE OF OREGON	)	
	) ss.	
County of Union	)	

I, MACE CADWELL, being duly sworn and under penalty of perjury under the laws of the state of Oregon, state as follows:

I am the shareholder/owner of Union Lumber Company and the associated companies. The jointly administered bankruptcy proceedings described above were dismissed on June 4, 2015 following hearing with this Court. At the hearing it was clear that the accounting practices in place at the time did not allow for the production of necessary records and documentation as requested. It was also noted that the plan would be a refinancing plan.

For a number of reasons, the Court dismissed the proceedings but the Court also stated that the debtors could move the Court to reopen the bankruptcy in the event that they obtain documentation detailing their ability to refinance – an “unconditional commitment letter.”

Over the last few months I have reviewed this matter and determined that it would make more financial sense to scale back the company and focus on only the gravel operation rather than overextend with the gravel operation and retail lumber operation. In that regard, I have arranged

unconditional funding in an amount sufficient to allow operation as a gravel quarry and sales operation only. That letter is attached to the Motion to Reopen.

Currently none of the businesses are operating. There are sales of necessary equipment scheduled for November 13, 2015. Thus, if a hearing is necessary I request that the hearing be expedited to be held prior to November 13, 2015. Additionally, all assets and any financial accounts are frozen following state court activities. As a result, there are no monies to pay the filing fee to reopen at this time. I ask the Court to waive the filing fee at this time with the understanding that it will be paid at such time when there is money available to do so.

DATED this 9<sup>th</sup> day of November, 2015.

*/s/ Mace Cadwell*

---

Mace Cadwell

**STEVEN J. JOSEPH, P.C.**  
ATTORNEYS AT LAW

STEVEN J. JOSEPH, Attorney  
PHONE 541- 963-4901  
FAX 541- 963-7621  
steven.joseph@frontier.com

901 WASHINGTON AVENUE  
P.O. BOX 3230  
LA GRANDE, OREGON 97850

J. LOGAN JOSEPH, Attorney  
PHONE 541- 963-4901  
FAX 541- 963-7621  
j.logan.joseph@frontier.com

November 9, 2015

To Whom It May Concern.

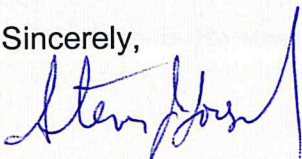
My name is Steven J. Joseph and I am an attorney practicing in La Grande, Oregon. I am the registered agent and organizer for a newly formed Limited Liability Company named Grande Ronde Investors Group, LLC, whose Oregon State Registry Number is 1158854-93. Grande Ronde Investors Group is a collection of Eastern Oregon businessmen and investors who have banded together to provide funding specifically to refinance Union Lumber Company and Mace and Sherry Cadwell for the purpose of reinstating Chapter 11 bankruptcy proceedings and reorganizing the company therein.

Specifically, Union Lumber Company will reorganize only in the business of quarrying and selling gravel and gravel products. Union Lumber Company will no longer operate in the retail lumber and building material market, and all secured assets involved in that market will presumably be surrendered.

The unconditional funding commitment is for the amount of One Million Six Hundred Thirty-Eight Thousand Three Hundred Sixty Dollars and no/100 (\$1,638,360.00). The funds will be used to provide operating capital and legal cost expenses, pay current and reinstate the existing Banner Bank loan, pay current relevant property tax arrearages, pay liens of the Internal Revenue Service and satisfy the secured interests of Community Bank in relevant rolling stock vehicles and airplane, quarry operations equipment, rock inventory and second mortgage on the quarry real property located at 59679 Highway 237, Cove, Oregon.

Initial operating funds of \$122,877.00 will be available following approval of the Bankruptcy Court. Remaining funds will be paid as indicated upon agreement with Community Bank and/or Court approval or upon relevant valuation and other court proceedings if no agreements can be reached.

Sincerely,



STEVEN J. JOSEPH

SJJ/rsp